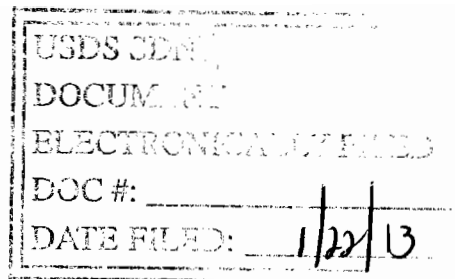


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



ADVANCED VIDEO TECHNOLOGIES LLC,

Plaintiff,

11 Civ. 06604 (CM)

-against-

HTC CORPORATION, HTC AMERICA, INC.,

Defendants.

ADVANCED VIDEO TECHNOLOGIES LLC,

Plaintiff,

11 Civ. 08908 (CM)

-against-

RESEARCH IN MOTION LTD., RESEARCH IN
MOTION CORPORATION,

Defendants.

ADVANCED VIDEO TECHNOLOGIES LLC,

Plaintiff,

12 Civ. 00918 (CM)

-against-

MOTOROLA MOBILITY, INC.,

Defendant.

ORDER

McMahon, J.:

I have been wrestling with the term "interim storage of incoming . . . video data" (as a prelude to dealing with the more fraught "interim storage of outgoing . . . video data"). There is a question that did not occur to me during our conference last Wednesday. I wonder if you could address it, with reference to the specification and description of the preferred embodiment or other intrinsic data.

"Interim" means "temporary" and "Incoming video data" means video data that comes into the codec chip, where it is going to be processed. So the term seems to mean "temporary storage of video data that is entering the chip in order to be processed." However, there are two methods of processing video data in the codec chip -- compression and decompression -- indeed, that is, as I understand it, the essence of the patent, that a single chip does both. As I look at Figure 2, it seems that two types of video data can fall within the definition of "incoming video data" -- the entirely unprocessed data that arrives from the video source (camera) and proceeds to the D-RAM after passing through the video I/O buffer (30), and the full compressed data that has passed out of the chip via the FP (38) into something (smartphone memory?) and that then reenters the codec chip to undergo reverse processing (decompression) before being sent out to a monitor for display. I agree that data during the compression process is not "incoming" -- incoming data is data in the state in which it arrives in the codec chip -- but is there some reason why the term does not encompass both data that has undergone no processing at all (at one end of the chip) and data that has been completely processed, but is now going to be reverse processed (at the other)? I need references from the patent to help me with this.

Assuming I am correct, does that have any impact on the argument made by defendants relating to interim storage of "outgoing . . . video data?"

I look forward to hearing from you on this issue and on the issue of patent invalidity that we discussed rather fully last week.

Dated: January 22, 2013



U.S.D.J

BY ECF TO ALL COUNSEL